

BUYS WITNESSES
LIKE CHATELLETSSTATE CHARGED WITH PAYING
FOR PERJURED EVIDENCE.

DEFENSE OFFERS SURPRISE

Attorney M. A. Ryan in Opening
Statement to Jury Charges That the
Prosecution Against Taggart and
Bell Actually Drilled and Paid Chi-
cago Men to Swear Falsely in In-
dianapolis Election Conspiracy Cases.

BY WILLIS S. THOMPSON.

Indianapolis.—The speech delivered by Michael J. Ryan, one of the attorneys of counsel for Thomas Taggart and Mayor Joseph E. Bell in the Indianapolis election conspiracy cases, was most sensational in charging the conspiracy and corrupt practices entered into by the prosecution, with the owners of the Indianapolis News and others, to send Thomas Taggart, Joseph E. Bell and more than a hundred others to the penitentiary on perjured evidence, bought and paid for with \$25,000 of the money of the taxpayers of Marion county. The strongest part of the charges made by Attorney Ryan is that it is proposed to show all this corrupt conspiracy from the mouths of the State's own witnesses, who had either been bought and paid for in cash and promises of reward, or to whom offers had been made direct by the prosecutor. The exposing of this corrupt and inhuman conspiracy is such that it becomes of intense interest to people all over the State of Indiana.

For this reason I have secured a verbatim copy of the official report made by the official court reporter for the benefit of the State newspapers. Mr. Rucker, the prosecutor, finished his rambling speech which consumed almost three days, by telling the jury that the last \$25,000 given him by the county was necessary because he had to pay to secure certain evidence from people outside the State. He did not tell who these witnesses were. What he omitted to tell the jury was supplied by Mr. Ryan.

I have here included that part of the statement of the evidence which is of special interest all over the state, and that part which gives the most vivid idea of what the evidence during the entire trial is most likely to show. On these points Mr. Ryan said:

"In presenting this case to you, the prosecuting attorney, in almost his first sentence, said that there were doubts revolving upon him that are unpleasant. I do not doubt it in the least. If the prosecuting attorney were a lover of duty, if he desired to follow the dictates and promptings of duty, there are many things that he would have left unsaid. He spoke eleven or twelve hours, and every thing that a man could think of in the way of phrase or word of vile character or epithet to fling at somebody, has been hurled at the defendant in this case, but only referred to two or three things in the entire eleven or twelve hours that he charged Mr. Bell had done that might not well be said of any person or any citizen without even a suggestion of wrong.

What Rucker Forgot.

Mr. Rucker insisted that the primaries and election of 1914 were the most unspeakable, the most corrupt of any primaries or elections ever held in this city. He had forgotten that just two years before there was another primary in Indianapolis of which he formed a spoke, and his master, the Indianapolis News, in that primary was in it up to the neck. There was a primary in Indianapolis two years ago when Mr. Rucker was a candidate for the legislature and a member of the party which had the city administration and the police department with that splendid officer, Martin Hyland, at the head. It is known from ocean to ocean and from lakes to lakes that in that primary there were some law violations. The methods there adopted were used in every state in this Union. It has become historical. It was exposed in two national conventions, and as the result of that primary in 1912, the progressive party of this

country was born, and at least the republican party temporarily became desperately sick."

"Mr. Rucker well knows that at the state convention following that primary it was arranged that three hundred Indianapolis police should take charge of the election in event that there should be any republican delegation to the convention. I say that because I was present so far as the police were concerned. With the exception of the police, no one else was present. But we accepted this jury with six republicans. We are willing to trust the free people of this county. We are willing to trust the free men of Indiana and of any party on the question of a fair deal.

"I tell this jury that there will be no truthful evidence introduced or offered by the state in the trial of the case that will in any way connect the defendant, Joe Bell, with any conspiracy to violate any of the election laws of the State of Indiana. And if it were proper for me to say further, if the witnesses of whom Mr. Rucker speaks as connecting Joe Bell with improper conduct, should testify to any such things, we will bring them before this court and this jury. The States District Attorney Frank Bell and his deputy, and the police, are all general jurors to inspect the witnesses. They can not testify that they have any connection with Joe Bell, that Joe Bell gave money, or had any connection whatever with the conspiracy in relation to the primaries to the election.

Motives and Evidence.

"Rucker has sought to make a connecting link with a couple of confessed perjurers and confessed criminals at confessed crooks. This is a fight, gentlemen of the jury, and I hope this mind occasionally wake this jury up, going on, this is an attack upon the credibility of witnesses. The motive behind the prosecution is no material, if the party accused be in fact, guilty of crime. But if there is a question as to the credibility of the witnesses, as to the methods of the procuring of witnesses, if it is shown that a prosecution is being forced and pressed by perjured testimony, the source that procured such a condition of affairs does become important. Particularly where they seek to rely upon circumstantial evidence, then the whole question is thrown open. This prosecution arises through two causes, and they are simple to remember. One is the Indianapolis News. The other is the ambition of the prosecuting attorney to be the greatest man in the state of Indiana, and we will furnish proof as to both. You may doubt it now, but there will be no question about it. A few days, perhaps a week before the election, the idea of this prosecution was conceived. After having borne the edum and the torture of eternal libels, outrageous attacks upon his moral life, Mr. Bell, not daring to take the law into his own hands, and the owners of the Indianapolis News for damages for libel. So did Mr. Taggart and so did Mr. Perrott.

"The Indianapolis News owners go busy. They looked around in Marion county. They saw a group of splendid republican lawyers, and progressive lawyers, judges and ex-judges young and old with splendid ability but not one who would advise to attempt to indict Joe Bell and some others of these defendants. Being unable to find anyone to espouse their cause in the way they wanted it worked, the owners of the News proclaimed to the world: 'We want allies' and they found Joe Roach and Bud Gibson and they found them the same week and the three went to bed together, and as the result of that unholy cohabitation, this bastard prosecution was born.

"They wanted men and they wanted things done and that same week they procured an affidavit from Bud Gibson that he had gotten money from Joe Bell on election day under the pledge that they would not use it except to spring on Joe in the libel suit. After this it is told, whether true or not I will not make the charge, that Gibson got a good chunk of money. That affidavit, I am told was made by the republican county chairman, but I am not sure. On the day before Bud Gibson pleaded guilty in this court, he went to inquire about that affidavit, whether it was going to be used. After two or three months had gone by, the owner of the Indianapolis News was not satisfied the way things were going, and its own counsel, Joe Roach, was made deputy prosecuting attorney of Marion county, and sent before the grand jury representing the state was the pretense; representing the Indianapolis News in a libel suit was the fact. An exile, a man unknown to this climate put into the grand jury room to investigate the facts with reference to Joe Bell, Tom Taggart and Sam Perrott, while defending the party that caused him to be put there. Soon after this arrangement was made they began to look around. They already had secured Bud Gibson, a defendant, and they sought to secure Ernest Roeder.

School for Perjury.

"The State of Indiana, during the last couple of months, with somebody at the head, I don't know who—I know of the professors—have maintained and operated a school for perjury, the worst you heard or read about. Mr. Rucker told you, 'Yes, we had to have a lot of money, \$25,000 is a small amount.' That had already cost

\$25,000, you know, before that, but \$25,000 is a small amount for a case of this kind. We have to use money to secure and produce evidence.' That is what he said, I don't know whether he meant it or not. 'Had to use money to secure and produce evidence.' I don't know whether their boys are in the court room now or not, but they have a bunch of them strung around, called investigators, a couple of detectives and an ex-policeman and they have taken into their splendid alliance with them another artist in the lines and roles of crime and put him in as the dean of the college, one Bat Masterson, of the United States. You have heard of him perhaps. Bat Masterson was employed by the prosecuting attorney and put in charge of a recruiting station in Chicago to advertise for and go out and hunt crooks that would come here in this trial and testify that they repeated and voted at different places in the city of Indianapolis.

"They stopped at various hotels, sporting houses and the saloons. These were their recruiting stations. Franklin and Worley, of the prosecutor's staff, were frequently called to Chicago to join them. I will not say any of the gentlemen sitting at the table ever visited that camp, or joined them in Chicago, for I don't know for certain. The best I can say is that men who looked like them were there, and they did gather and corral in the basest dives of Chicago, a bunch of ten or twelve fellows willing to 'sign up' that they had been at Indianapolis on election day and voted five to ten or fifteen times at different places at the request of Joe Bell and Tom Taggart and Fred Barrett.

"It is the truth that Franklin and Worley were at Chicago in conference with Bat Masterson at the Lexington hotel, and there brought those witnesses together, and there those witnesses were given a contract of immunity and protection against arrest or prosecution if they would come to Indianapolis and testify to a certain state of facts. The truth is that in those dives in Chicago, those fellows were lined up like children at a Sunday school and trained to say, 'I know Fred Barrett.' Trained to tell how he looks, a pale, smooth-skinned man, with black hair and smooth-shaven, and about 150 pounds. They never saw him or the sky over the city of Indianapolis. They were trained to say they knew Tom Taggart. Some of them had seen him at conventions, around hotels and places like that, but none of them ever saw Joe Bell. But it is easy to show the picture and describe Joe Bell in the meeting, and drill to answers. They say, 'Yes, I was at Indianapolis a few days before election with the bunch.' These gentlemen know the names; I don't know their real names, I only know their aliases, but we will have their real names. We know where they are.

Told What to Say.

"They were lined up and drilled to say these things. It will be claimed that only a day or so before the election Fred Barrett, county chairman, wrote a letter to Bat Masterson asking him to hunt around over the country and bring in a gang of repeaters—forged, and the letterhead stolen. Then the story was taught in this school for perjury that they were brought to the Denison hotel. They were trained to tell where the Denison hotel is. A plat was made of a part of the city, showing the union station in Indianapolis, and some hotels. Some of the men that later joined the crowd had lived in Indianapolis and were strike breakers and sluggers in Indianapolis in the Diamond Chain strike. They did not vote, but were here at that time carrying bludgeons. But those that had not been here at all and knew nothing of Indianapolis, were trained to tell where the K. of P. building is, to tell the floor where the Democratic headquarters were located, where Virginia avenue was and different voting places. The plan was, gentlemen of the jury, that they should say that they came to Indianapolis a day or two before election with Bat Masterson; that they came to the Denison hotel and went into the wash room, and there, by Bat Masterson were told to put a handkerchief around the neck and afterwards walk into the lobby, and Taggart—just like Taggart, you know, to do a thing of that kind—would inspect cattle at a cattle show, and following right behind Taggart was Fred Barrett. Fred Barrett is one of the finest fellows in the world. He wouldn't know a crook from a preacher.

Taggart, The Juvenile.

"They were taught to say that Taggart said, 'They look good to me. Then they were to tell how they were sent across the street to the K. of P. building, up into Democratic headquarters, to be inspected by Joe Bell. Just how they get Bell at headquarters and Barrett ever at the Denison I don't know, but that was the story and over there Bell was supposed to have inspected them and thought a couple of them didn't look good, but after a consultation he decided they were all right and told them to go out and repeat, and 'vote wherever you can.' 'You will get a ticket ever you vote back, and as many tickets as you bring back you will be given so many dollars for each one. Go to it.' That was the story.

"These men were given a certificate or contract signed by Franklin as representative of the prosecuting attorney, and Franklin had with him credentials to present to those men

showing that they had authority from the prosecuting attorney to protect them from arrest and to insure their against prosecution if they came to Indiana and testified to that story. Many of them signed statements, and I think the prosecuting attorney has them in his inside pocket.

"On the 18th of August, Masterson gathered his children under his arm, like a hen with her chickens, and started to Indiana. They came down to Hammond, a motley bunch. They stopped there all day. They took a train and came to Frankfort, Clinton County, and remained there part of the day; took an interurban car from Frankfort to Lebanon and remained part of the day; bought tickets on the Big Four railroad to Batesville, some 72 miles southeast towards Cincinnati, and when they got to Batesville one of the party got out and bought tickets for seven or eight on to Lawrenceburg Junction in Dearborn County. They went to Dearborn Junction and remained around there for a time. Then they are lost for a day or two. I don't know where on earth they went, the earth seemed to yawn and swallow them.

"I think they went to Cincinnati, but don't know, but in a day or two they appeared at Rising Sun, with Masterson at the head of the bunch with a camping outfit on which he paid seventy dollars down, and was to pay so much a week. Going to have a camp, but it was rainy weather and they stopped at the hotel and did not open up the camp at Rising Sun. A couple of days later, perhaps about the 22nd of August, they came to Aurora on the Ohio river, and there I think the camp had been inspected by the chief inspector and the spender of the county's money, Franklin, and they rented a camp on the Ohio River, about four miles out from Aurora, with their motor boats and equipment and everything furnished and provided, under a contract for five dollars a day and all expenses from the time they left Chicago until this trial is over. They visited Aurora every day, and sometimes several times a day, in their motor boats. The camp was rented from Shoemaker, a saloon keeper there, and they rented rooms over his saloon or house, where they could stay when they were in town. They hired automobiles. Motor boats, the camp equipment, the automobiles, the dining and the dining, paid for by Marion County's money. They remained there for quite a while. They attended a fair at Lawrenceburg—these fellows, these pupils of the state, these men that were to be brought here to testify under contract before this jury that is housed up in the trial of this case. They were taken over to the Lawrenceburg fair. They were getting lonesome and they yearned for the city. They wanted to see some of the women of the lower world, and even that luxury was furnished them for a day and a night, and a bill in the account sent to Marion County for allowance included that feature of expenditure.

"Their Pictures Taken.

"On Wednesday of last week they had their pictures taken, which we have here, with Bat Masterson at the wheel, with the name Aurora printed on the side wall of the lounge where the picture was taken, with his crew on top of the radiator, on the fenders, on the seat, and in the wheels, and all around the automobile. That is the bunch that on Wednesday evening of last week, when we were trying to get a jury here, Masterson came from Aurora with three of the gang and they put up at a hotel. On the next afternoon Franklin, the business manager of the state, came with the rest of them. No sooner had he got them landed at a hotel and fairly protected under the wing of Worley than he came into this court room, in your presence, and reported his accomplishments to his superiors. These men were kept in Indianapolis for a day or two, but on Friday they were put in different squads here—I think in three different places. I can not be sure where they were all the time. I know where they were part of the time. They were taken out and shown different places, so they would be familiar with them—those that really did not know the Denison hotel were given a bird's-eye view of the Denison, so they could talk about it. They know now where the K. of P. building is. They know now where the different hotels are, where they were supposed to have stopped during election time. They know now where the voting places are where they are expected to testify they voted. They are now in trim so that when they stand they will be able to tell you pretty fairly and distinctly the different localities in the city of Indianapolis.

Their First Pay Day.

"But on Friday they yearned to go home, and when Rucker said it costs money to keep folks, and when they get across the state line it is hard to get them back sometimes, he is thinking of this same thing, and wondering evidently whether we knew about certain things. They let them go to Chicago and Franklin with them, on Friday afternoon, and at the Morrison hotel, at the corner of Clark and Madison streets, over the old Boston Oyster house, that night at seven o'clock Franklin paid a partial installment, from my information, fifty-three dollars apiece, paid them at the rate of three dollars a day, but kept them on the payroll to be paid in full when they 'come through' the remainder of two dollars a day from the time they have been out, from the 17th of 18th of August, and the additional time. They are on the payroll now at five dollars a day. They are in charge

of some parties to look after them in Chicago, or was Saturday or Sunday. I don't know where they are today. I may know in the morning; I cannot tell.

"This is part of the story of the education of some of the witnesses for the State that will come here and, as Rucker told you, connect Bell; say that Bell knew of their repeating; say that Barrett and Taggart and Bell knew of the repeaters, and this is the bunch of repeaters. None of them repeated. It is barely possible that one of them voted in Indianapolis.

"The State's attorneys in this case knew all about this arrangement. They knew the price that was being paid for the camp. They knew the arrangement to take them from Chicago; they visited and conferred with them before they left Chicago. They visited their camp through their representatives a number of times; they were in their company, their representatives coming here and talking over personally the work, and they will be under guard until they are brought back, under a promise of protection—and I want to say to this jury when I say this, under that promise of protection that they would not be prosecuted, that that promise does not carry with it the promise of the court in this case. I will wager my reputation, for good or bad.

"In order to get Mr. Masterson here, the prosecuting attorney, aided by The News, the police notified both by the prosecuting attorney and the News, they dismissed charges that hung over Bat Masterson. He was a fugitive from justice for many crimes, but our prosecuting attorney needed a man like that. When Masterson came in the chief of police thought it proper, knowing that he was a fugitive, had him arrested. Oh, if he had been in the camp of the defendant, and the defendants had been crooks, he would not need to have been afraid of the police. If Bat Masterson had made these negotiations and brought in these repeaters, he would not need to be afraid of Sam Perrott or the police. Yet, when he comes to town, Perrott has the police to put him in jail, and our prosecuting attorney had made arrangements in advance for him to come and dismiss the charges. Let him go, as his reward. Sure! Put him on the back. 'Old man, you are the kind of a man we need for the dean of our college for perjury.'

"The News condemned the action of the police as trying to intimidate and frighten and create a reign of terror among the witnesses for the State when poor Bat was put in jail and the prosecuting attorney let him go. Joe Roach knew Masterson well. I will wager a doughnut, at least, that Rucker did not know him at all, but Roach knew him from start to finish. At any rate, the News came to the rescue to condemn the police. If the greatest scoundrel that ever lived came to Indianapolis tonight and one of you should be robbed or your sister ravished and a policeman should strike the miscreant, the Indianapolis News would say, 'They are laying on the friends of the state,' and the public would be expected to believe that the crooked corrupt police force of Indianapolis is trying to destroy the liberties of the people of this community.

"Masterson, then, I say, was brought here into the alliance of the News, Roach and Bud Gibson, and now it is a quadruple alliance. How long it will last I don't know, but it has lasted up to this minute. Whether this statement of mine has a tendency to cause uneasiness in camp, whether they will bring them on now, I don't know, but I know that on, I think, Friday of last week, the county treasurer coughed out eleven hundred dollars to be put into the hands of the secretary of the exchequer, little Worley, to be dipped out for certain purposes, such as that I have just talked about. A few days before he got nine hundred dollars more, and Worley alone, since along in July, twenty-four hundred dollars, for expenses for evidence and evidence hunters. This is part of the alliance, and the testimony with which the prosecuting attorney expects to connect Joe Bell with this conspiracy.

Comparison of Conspiracies.

"I want to say that in my judgment these charges of conspiracy to violate the election laws when compared with these dastardly acts of conspiracy with reference to this school of perjury, in order to send men to the penitentiary on perjured testimony—that these charges of conspiracy for violation of the election laws would read like the Sermon on the Mount. When the prosecuting attorney comes before you in a mask, with a mask on his face, and says he is performing a duty, it was all I could do to keep from pulling the mask off and leaving him in his nakedness before you.

"When they were arranging their meetings in Chicago, they met in the sporting houses, these men, and the representatives of the state, spent their money like princes, stayed all night with girls, is the story that is told by part of their own crowd, and Marion county paid the bill. Whether they had a disturbance at a hotel, I am not sure, but may be the evidence will have something to say about a departure from a hotel. We will see about that later.

"From Chicago they went to Detroit, where Masterson had a man or two on his staff, and there tried to gather in the Detroit bunch. There were two or three at that time in New York, but they were to be called in and got in line, and they may be here now for this trial, but they were not in Indianapolis on election day; they were not

in Indianapolis at the primary; they did not repeat; they did not vote. It is simply a part of this corrupt conspiracy, and whether they now put these men on the stand or not, you may know and bet your life on the proposition that my statement as made is true.

"Of course, the News has not said anything about that. It has not told the people where their money was going. The representative of the News knew; he had planned that part of this affair, just what part I don't know. The News would like to be rid of Joe Roach now, and so would Rucker, but you (addressing Mr. Roach) stay with them. We are for you in this proposition, so long as the money lasts; and Rucker is getting ready for another appropriation; thinks it is a very reasonable allowance, and I should think so too, if this matter goes on long.

Same Work in Cincinnati.

"They had this same sort of work going on at Cincinnati, letters and telegrams passing between the prosecuting attorney's office and part of the bunch at Cincinnati at the Palace hotel, Room 57, I believe. I think that is what the telegram shows—Masterson's headquarters. Burns, whoever he is, of the prosecutor's office, stopped at the Shulton.

"It is in this way that the prosecuting attorney tells you gentlemen that we cannot explain the testimony. We can explain some of it. We can tell you in advance and explain that part of the testimony that will come on this witness stand that furnished the connecting link. They would not pay out thousands of dollars of the county's money for the entertainment of a bunch or gang of criminals and allow money to be spent on harlots and in sporting houses if they did not regard it as essential, but they know it is essential to connect Bell and Barrett and Taggart. That is, 'two or more,' isn't it? That makes a conspiracy. They would never use money that way in a thousand years. My Lord, the alleged virtue of the prosecutor would shake that virtuous suit in a minute, if he dreamed he could get by without using this character of testimony.

"And the proof will be that when Masterson was found and brought into this case, there was a meeting held in the offices of the Indianapolis News when the prosecuting attorney, or some of his assistants, went there and met the proprietors of the News, and there it was said that it was important to get these men into the state of Indiana, and on that day Mr. Rucker gave Bat Masterson fifty dollars, and on that afternoon he started to Chicago to round up his men.

Threatens Counsel.

"A good deal has been said and vehemently said in regard to the reign of terror about election time. If there ever was a reign of terror and a wrongful one, it has been in connection with this prosecution. Scarcely a morning comes but we are informed by some one coming from the state's side of this case that some of us will be indicted for something or other during the progress of this trial, or that we came near being indicted with the bunch in connection with the election frauds, and now we are told that maybe some of us will be indicted today for saying our piece in regard to the election cases yesterday. We are informed that we came pretty near being indicted for riding a few blocks with Joe Bell on election day. Talk about a reign of terror, I do not blame Mr. Rucker for saying duty is unpleasant sometimes.

"Joe Bell would never have been indicted in this case if he had paid the price, but he refused to pay it. He has sufficient means for a defense, but not a penny for tribute, and no bending of the knee to any influence that is an improper one. Maybe it would have been better to have compromised—some folks take the view that it is better to compromise with crime than to stand off and resist it, and be simply wiped off the face of the earth, but Bell has peculiarities of his own; he is a man with a character of his own, and simply because he refused to bend the knee and follow the dictation of another, he is sought to be ruined, and that is the purpose of this prosecution.

"They boast Albert Sakm, class him as the splendid citizen that he is. Albert Sakm will be here in full force to tell this jury that he knows Joe Bell and himself worked shoulder to shoulder and honestly and honorably in those primaries. Judge Remster will be here to tell you the deceptive statement of the prosecuting attorney with which he tried to win some of you was untrue. The prosecutor thinks some of you are anti-machine Democrats. All right. This is a fair proposition, and we are entitled to a fair deal, and we know we will get it at your hands. Judge Remster, Judge Ross and Judge Orbison, one after another, will come before you. Squire Dietz, when Rucker was talking yesterday, came walking down here to tell us, 'I want to take the witness chair and dispute that proposition.' Rucker tried to leave the impression with you that the splendid Squire Dietz had been imposed upon and thrown down by Joe Bell in the primary. Squire Dietz will be here.

Rucker's Dream of Greatness.

"Speaking about crookedness in the Glenn precincts calls my attention to a situation that, perhaps, will become interesting in this case. Perhaps it will be a matter that may have something to do in determining your judgment on certain things. One of the Glenns was Mike Glenn, a city clerk

Continued on last page.